

PROB 11C
(7/93)

United States District Court
for
District of New Jersey
Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Jesse Kittles

Docket Number: 02-00195-005
FACTS Number: 32004

Name of Sentencing Judicial Officer: HONORABLE Dennis M. Cavanaugh

Date of Original Sentence: 09/22/2004

Original Offense: CONSPIRACY TO DISTRIBUTE AND POSSESS WITH INTENT TO DISTRIBUTE 500 GRAMS OR MORE OF COCAINE

Original Sentence: 60 months imprisonment; 4 years supervised release. Special conditions: drug/alcohol aftercare, financial disclosure.

Type of Supervision: Supervised Release

Date Supervision Commenced: 08/04/06

Assistant U.S. Attorney: Melissa Jampol, 970 Broad Street, Room 502, Newark, New Jersey 07102, (973) 645-2700

Defense Attorney: Michael P. Koribanics(Appointed), 685 Van Houten Avenue, Clifton, New Jersey 07013, (973) 778-1800

PETITIONING THE COURT

- ☒ To issue a warrant
☐ To issue a summons

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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- | | |
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| 1. | The offender has violated the supervision condition which states 'You shall not commit another federal, state, or local crime.' |
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On January 2, 2008, the offender was arrested by the Jersey City Police and was charged with the law violations of possession/use of CDS, manufacture/distribute CDS, possession/distribution of CDS on/near school property, possession/distribution CDS within 500 feet of public property, and resisting arrest.

Thereafter, on April 15, 2008, Kittles was indicted by a Hudson County Grand Jury(indictment number 08-05-00829-1), for the following felony offenses: possession of a controlled dangerous substance(cocaine), possession with intent to distribute or dispense a controlled dangerous substance(cocaine), possession with intent to distribute or dispense a controlled dangerous substance(cocaine) within 1,000 feet of school property, possession with intent to distribute or dispense a controlled dangerous substance(cocaine) within 500 feet of a public housing facility, public park, or public building, distribution of a controlled dangerous substance(cocaine), distribution of a controlled dangerous substance(cocaine) within 1,000 feet of school property, and distribution of a controlled dangerous substance(cocaine) within 500 feet of a public housing facility, public park, or public building.

On September 3, 2008, the offender plead guilty to the felony offense of distribution/possession of a controlled dangerous substance within 1,000 feet of school property, with sentencing for the offense scheduled for October 24, 2008. The Honorable Melvin Kracov issued a bench warrant for Kittles in Hudson County Superior Court, on October 14, 2008, when the offender failed to appear for his pre-sentence interview.

2. The offender has violated the supervision condition which states 'You shall report to the probation officer as directed by the Court or probation officer, and shall submit a truthful and complete written report within the first five days of each month.'

The offender failed to submit monthly supervision reports for the months of July, August, and September 2008.

3. The offender has violated the supervision condition which states 'You shall answer truthfully all inquiries by the probation officer and follow the instructions of the probation officer.'

The offender failed to follow the instructions of his probation officer not to frequent the area of Bergen, Lexington, and Bramhall Avenues in Jersey City, New Jersey, as evidenced by his January 2, 2008, Jersey City Police Department arrest at the intersection of Bramhall and Bergen Avenues.

The offender failed to follow the instructions of his probation officer not to frequent the area of Bergen, Lexington, and Bramhall Avenues in Jersey City, New Jersey, as evidenced by summonses issued to the offender on or about June 19, 2008, by the Jersey City Police Department for drinking in public, and littering in the area of 459 Bergen Avenue.

4. The offender has violated the supervision condition which states 'You shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any narcotic or other controlled substance, or any paraphernalia related to such substances, except as prescribed by a physician.'

The offender used drugs, specifically phencyclidine, as evidenced by urine specimen(C01054095) obtained on June 30, 2008, which was submitted to National Testing Laboratories, with the lab indicating a positive result for the above substance.


The offender failed to refrain from the use of alcohol on or about June 19, 2008, as evidenced by Jersey City Police Department summonses issued to him for drinking in public, and littering, by discarding a Smirnoff Vodka bottle in the area of 459 Bergen Avenue, Jersey City, New Jersey.

5. The offender has violated the supervision condition which states 'You shall notify the probation officer within 72 hours of being arrested or questioned by a law enforcement officer.'

The offender failed to notify the undersigned officer of his June 14, 2008 arrest by the Jersey City Police for simple assault/domestic violence.

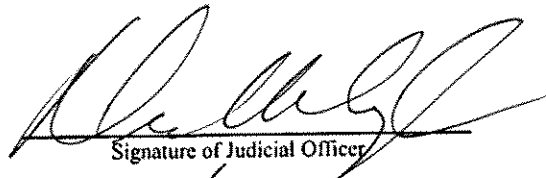
The offender failed to notify the undersigned officer of his June 19, 2008 contact with the Jersey City Police.

I declare under penalty of perjury that the foregoing is true and correct.


By: Kevin J. Mullens
Senior U.S. Probation Officer
Date: 10/29/08

THE COURT ORDERS:

- ☒ The Issuance of a Warrant
☐ The Issuance of a Summons. Date of Hearing: _____
☐ No Action
☐ Other


Signature of Judicial Officer
11/14/08
Date